

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN THE MATTER OF:

RUTH JYNETTE FERREIRA VILLEGAS

DEBTOR(S)

CASE NUMBER: 08-07110 GAC

CHAPTER 13 (ASSET CASE)

DEBTOR'S MOTION UNDER SECTION 1329 OF THE BANKRUPTCY CODE

THE HONORABLE COURT:

COMES NOW, Debtor (s) through the undersigned attorney and respectfully ALLEGES and PRAYS:

1. That debtor (s) filed and circulated a MODIFIED PLAN to all parties in interest.

2. That the modification is based in that the Debtor (s) wants to amend their plan in order to:

a. Include Lump Sum payment in the amount of \$5,000.00 dollars.

3. Debtor (s) amend plan call for sixteen (16) payments of \$280.00, three (3) payments of \$0.00, seventeen (17) payments of \$280.00 and a Lump Sum payment in the amount of \$5,000.00 for a total base of \$19,000.00 dollars with a provision for the payment in full to Toyota Financial , the surrender of collateral to Coop A/C de Guaynabo and the payment of Insurance to Toyota Credit.

4. Debtor (s) are still is interested in continuing with the bankruptcy procedures and proof if the amendment of the plan in order to comply with the disbursement schedules. To pay Secured creditor Toyota Credit as per oral agreement.

WHEREFORE, Debtor (s) respectfully request from this Honorable Court to accept this motion and grant debtor (s) the opportunity to modify the confirmed plan according to 11 US 1329 and provide any other remedy it may deem appropriate.

NOTICE

"Parties in interest are notified the have twenty one (21) days to reject a proposed modification of a plan and request a hearing. If no opposition is filed within the prescribed period of time, the Court will enter and order granting the motion upon the filing of a certificated of service by the movant that adequate notice was given. Should and apposition be timely filed. The Court will schedule the motion for a hearing as a contested matter. Absent good cause, untimely rejections shall be denied".

In San Juan, Puerto Rico, this 27th, day of *July*, 2010.

I HEREBY CERTIFY: That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Chapter 13 Trustee **Jose R. Carrion, Esq.**, US Trustee **Monsita Lecaroz Arribas** and to all those who in this case have registered for receipt of notice by electronic mail and I hereby certify that I have mailed by regular mail to all creditors listed on the attached Master Address List.

RESPECTFULLY SUBMITTED.

/s/ Marilyn Valdes Ortega
MARILYN VALDES ORTEGA

USDC PR 214711
P.O. Box 195596
San Juan, PR 00919-5596
Tel. (787) 758-4400
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E-mail valdeslaw@prtc.net

United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. 08-07110 GAC

FEREIRA VILLEGAS, RUTH JYNETTE

Chapter 13

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☐ directly ☒ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: <input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION		<input checked="" type="checkbox"/> AMENDED PLAN DATED: <u>July 27, 10</u> Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
I. PAYMENT PLAN SCHEDULE		II. DISBURSEMENT SCHEDULE	
<p>\$ <u>280.00</u> x <u>16</u> = \$ <u>4,480.00</u> \$ <u>0.00</u> x <u>3</u> = \$ <u>0.00</u> \$ <u>280.00</u> x <u>17</u> = \$ <u>4,760.00</u> \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____ TOTAL: \$ <u>9,240.00</u></p> <p>Additional Payments: \$ <u>5,000.00</u> to be paid as a LUMP SUM within <u>36 months</u> with proceeds to come from: <input type="checkbox"/> Sale of Property identified as follows: <input checked="" type="checkbox"/> Other: FROM ADVERSARY PROCEEDING</p> <p>Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____</p>		<p>A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input type="checkbox"/> Trustee pays secured ARREARS: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. TOYOTA FINANCIAL Cr. _____ Cr. _____ # 70404008327600001 # _____ # _____ \$ <u>6,000.00</u> \$ _____ \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input checked="" type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: COOP A/C DE GUAY 5. <input type="checkbox"/> Other: 6. <input type="checkbox"/> Debtor otherwise maintains regular payments directly to: C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements.</p>	
III. ATTORNEY'S FEES (Treated as § 507 Priorities)		OTHER PROVISIONS: (Executory contracts, payment of interest to unsecureds, etc.) TRUSTEE TO PAY ATTORNEY'S FEES BEFORE ANY SECURED OR PRIORITY CREDITOR.	
<p>Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>2,870.00</u></p> <p>Additional Fees <u>\$350.00</u> Adjusted Balance <u>\$3,220.00</u></p> <p>Signed: <u>[Signature]</u> Debtor</p> <p><u>[Signature]</u> Joint Debtor</p>		<p>ADEQUATE PROTECTION PAYMENT TO TOYOTA CREDIT UNTIL CONFIRMATION \$80.00 TO BE PAID BY TRUSTEE MONTHLY. TRUSTEE TO PAY ATTORNEY'S FEES BEFORE ANY SECURED OR PRIORITY CREDITOR.</p> <p>AFTER CONFIRMATION EQUAL MONTHLY PAYMENT OF \$ 252.00 TO TOYOTA CREDIT .</p> <p>INSURANCE TO TOYOTA CREDIT THROUGH UNIVERSAL AT THE END OF SALES CONTRACT IN THE APROXIMATE AMOUNT OF \$ 628.00. DISBURSEMENT TO UNIVERSAL INSURANCE TO BEGIN AT END OF THE SALES CONTRACT ON</p>	

Attorney for Debtor Martín Valdes Ortega Law Offices

Phone: (787) 758-4400

AMENDED CHAPTER 13 PAYMENT PLAN

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE: * CASE NO. 08-07110 GAC
RUTH JYNETTE FERREIRA VILLEGAS *
*
Debtor(s) * CHAPTER 13 (ASSET CASE)

NOTICE OF FILING AMENDED PLAN
TO ALL THE CREDITORS LISTED ON THE ATTACHED
MASTER ADDRESS LIST

NOTICE IS HEREBY GIVEN THAT DEBTOR (S) FILED THE
ATTACHED PLAN ON July 27th, 2010

Parties in interest are hereby granted twenty one (21) days from the date of notice to oppose the motion and request a hearing. If no opposition is filed within the prescribed period of time the Court will enter an order granting the motion upon the filing of a certificate by the movant that adequate notice was given. Should an opposition be timely filed, the Court will schedule the motion for a hearing as contested matter.

MARILYN VALDES ORTEGA
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SAN JUAN, PR 00919-5596
Tel. (787) 758-4400
Fax. (787) 763-0144

In San Juan, Puerto Rico, this 27th day of July, 2010.

I HEREBY CERTIFY: That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Chapter 13 Trustee **Jose R. Carrion, Esq.**, US Trustee **Monsita Lecaroz Arribas** and to all those who in this case have registered for receipt of notice by electronic mail and I hereby certify that I have mailed by regular mail to all creditors listed on the attached Master Address List.

RESPECTFULLY SUBMITTED.

/s/ Marilyn Valdes Ortega
MARILYN VALDES ORTEGA
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Label Matrix for local noticing 0104-3 Case 08-07110-BKT13 District of Puerto Rico Old San Juan Fri May 7 15:43:19 AST 2010	BANCO BILBAO VIZCAYA ARGENTARIA P.O. BOX 364745 SAN JUAN, PR 00936-4745	COOP A/C GUAYNABO ARTURO GONZALEZ MARTIN ESQ PO BOX 193377 SAN JUAN, PR 00919-3377
EASTERN AMERICA INSURANCE COMPANY PO BOX 9023862 SAN JUAN, PR 00902-3862	US Bankruptcy Court District of P.R. U.S. Post Office and Courthouse Building 300 Recinto Sur Street, Room 109 San Juan, PR 00901-1964	BANCO BILBAO VIZCAYA PO BOX 71113 SAN JUAN, PR 00936-8013
BANCO POPULAR DE PR PO BOX 366818 SAN JUAN PUERTO RICO 00936-6818	BANCO POPULAR DE PUERTO RICO P.O. BOX 70100 SAN JUAN, PR 00936-8100	CITIFINANCIAL SERVICE OF PR, INC. ONE CITIBANK DRIVE SUITE 201 SAN JUAN, PR 00926-9600
COOP A/C DE GUAYNABO PO BOX 1299 GUAYNABO, PR 00970-1299	DEPARTAMENTO DE HACIENDA PO BOX 9024140 OFICINA 424 B SAN JUAN, PR 00902-4140	DEPARTAMENTO DEL TRABAJO AVE. MUOZ RIVERA 505 HATO REY, PR 00918-3352
EASTERN AMERICA INS. CO. PO BOX 9023862 SAN JUAN, PR 00902-3862	FEDERAL LITIGATION DEPT OF JUSTICE PO BOX 9020192 SAN JUAN, PR 00902-0192	GATSBY DISTRIBUTORS PO BOX 6359 CAGUAS, PR 00726-6359
HOME DEPOT CREDIT SERVICES PROCESSING CENTER DES MOINES, IA 50364-0500	LVNV FUNDING LLC PO BOX 10497 GREENVILLE, SC 29603-0497	LVNV Funding LLC Resurgent Capital Services PO Box 10587 Greenville, SC 29603-0587
MONEY EXPRESS BANKRUPTCY DIVISION PO BOX 9146 SAN JUAN PR 00908-0146	MONEY EXPRESS PO BOX 11890 SAN JUAN, PR 00922-1890	NATIONAL ENTERPRISE SYSTEMS 29125 SOLON ROAD SOLON, OH 44139-3442
NCO FINANCIAL SYSTEMS OF PR, INC. PO BOX 192478 HATO REY, PR 00919-2478	NCO PORTFOLIO PO BOX 15391 WILMINGTON, DE 19850-5391	SEARS P.O. BOX 183114 COLUMBUS, OH 43218-3114
TOYOTA FINANCIAL SERVICES PO BOX 366251 SAN JUAN, PR 00936-6251	TRIPLE-S PROPIEDAD PO BOX 9023862 SAN JUAN, PR 00902-3862	Toyota Credit de Puerto Rico Corporation P.O. Box 366251 San Juan, Puerto Rico 00936-6251
JOSE RAMON CARRION MORALES PO BOX 9023884 SAN JUAN, PR 00902-3884	MARILYN VALDES ORTEGA VALDES-ORTEGA P O BOX 195596 SAN JUAN, PR 00919-5596	MONSITA LECAROS ARRIBAS OFFICE OF THE US TRUSTEE (UST) OCHOA BUILDING 500 TANCA STREET SUITE 301 SAN JUAN, PR 00901-1938

RUTH JYNETTE FERREIRA VILLEGAS
RR 6 BOX 9970
SAN JUAN, PR 00926-9459

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)BEVA-P.O. BOX 364745, SAN JUAN, P.R. 0093	(u)FERREIRA VILLEGAS, RUTH JYNETTE 581-35-1193	End of Label Matrix	
		Mailable recipients	30
		Bypassed recipients	2
		Total	32